



## **Borough of Douglas**

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**COUNCILLOR MS JANET THOMMENY, JP  
MAYOR**

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Town Hall,

Douglas,

5<sup>th</sup> January, 2023

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL of the BOROUGH OF DOUGLAS to be held on TUESDAY, the 10<sup>th</sup> day of JANUARY, 2023, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

For: Town Clerk & Chief Executive

# Order of Agenda

I - Election of a person to preside (if the Mayor is absent).

II - Any statutory business.

III - Approval as a correct record of the minutes of the last regular and any intermediate Meetings of the Council.

IV - Questions of which Notice has been given by Members of the Council, pursuant to Standing Order No. 39.

V - Consideration of the minutes of proceedings of the Council in Committee.

VI - Consideration of the minutes of proceedings of Committees of the Council in the following order:

- (i) The Executive Committee;
- (ii) The Housing and Property Committee;
- (iii) The Pensions Committee;
- (iv) The Standards Committee;
- (v) The Eastern District Civic Amenity Site Joint Committee;
- (vi) Any other Joint Committee;
- (vii) The Regeneration and Community Committee;
- (viii) The Environmental Services Committee;

VIII - Consideration of such communications or petitions and memorials as the Mayor or Chief Executive may desire to lay before Council.

IX - Notices of Motion submitted by Members of the Council in order of their receipt by the Chief Executive.

X - Any Miscellaneous Business of which Notice has been given pursuant to Standing Orders.

The above Order of Agenda is in accordance with Standing Order No. 16(1); under Standing Order No. 16(2) it may be varied by the Council to give precedence to any business of a special urgency, but such variation shall not displace business under I and II.

# AGENDA

III – Chief Executive to read minutes of the monthly Council Meeting held on Wednesday, 14<sup>th</sup> December, 2022.

VI(i) - The proceedings of the EXECUTIVE COMMITTEE as follows:

## EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Wednesday, 21<sup>st</sup> December, 2022.

Members Present: Councillor Mrs C.L. Wells (Chair), Mr Councillor A.J. Bentley, Mr Councillor I.J.G. Clague, Mr Councillor F. Horning.

In Attendance: Chief Executive (Miss K.J. Rice), Director of Finance (Mr A.J.T. Boyd), Director of Environment and Regeneration (Mrs D. Eynon), Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Finance) (Mr E.P. Pierce) (Clauses A1 to A7), Assistant Chief Officer (Democratic Services (Mrs L. Radcliffe) (Clause A8), Dilapidations Enforcement Officer (Mr S. Salter) (Clause A11), Executive Officer (Mrs J.M. Keig) (taking minutes).

### REPORT

#### **PART A –**

#### ***Matters within the scope of the Executive Committee's delegated authority***

##### **A1. Apologies for Absence**

Apologies for absence were submitted on behalf of the Worshipful the Mayor and Mr Councillor D.R. Watson.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes**

The minutes of the meeting held on Thursday 24<sup>th</sup> November 2022 were approved and signed.

##### **A4. Matters Arising From Previous Minutes**

There were no matters arising from the previous minutes.

##### **A5. Referrals from the Environmental Services Committee**

There were no referrals from the public minutes of the Environmental Services Committee meeting held on Monday 19<sup>th</sup> December 2022.

##### **A6. Referrals from the Regeneration and Community Committee**

There were no referrals from the public minutes of the Regeneration and Community Committee meeting held on Tuesday 20<sup>th</sup> December 2022.

##### **A7. Referrals from the Housing and Property Committee**

There were no referrals from the public minutes of the rescheduled Housing and Property Committee meeting held on Friday 16<sup>th</sup> December 2022.

##### **A8. Consultation Document – Public Sector Payments Bill**

The Committee considered a written report by the Democratic Services Officer in relation to a consultation document issued by the Isle of Man Government.

The purpose of the consultation was to obtain views in relation to a proposed piece of legislation that would replace the Payments of Members Expenses Act 1989. While most of the proposed changes would not impact the local authority Member Allowance Scheme (which was paid under the Local Government (Members' Attendance Allowances) Order 2013, there was one proposed policy change that could impact Council Members and employees, this being Proposal 4 on travel allowances, and Members noted particularly the suggested response in relation to this proposal.

The closing date for responses was 6<sup>th</sup> January 2023.

Resolved, "(i) That particulars of the report and consultation document be noted on the minutes; and

- (ii) That the proposed responses to the individual questions contained in the consultation (as appended to the written report and as amended) be approved as the Council's response and submitted accordingly."

**A9. Monthly Financial Review – November 2022**

The Committee considered a written report by the Director of Finance setting out details of progress made against Key Performance Indicators for Finance, together with other related key financial monitoring information.

Members were advised that it was intended to open a deposit account with Santander Bank. Santander was already included on the Council's authorised list of deposit takers, but had previously removed their ability to take short-term deposits, and now that this facility was being reintroduced by the Bank, it was necessary to open a new account to facilitate this.

It was also proposed that a deposit account be opened with the Conister Bank. As Conister was a local Isle of Man bank, it did not have ratings on global sites (e.g., Moodys; Standard & Poor) and, in order to mitigate any risk, it was intended that the maximum allowance for a deposit be £1 million, as opposed to the £3 million limit for the other deposit takers.

Resolved, "(i) That particulars of the report be noted on the minutes, including particularly:-

- The rates collection figure of 92.8% compared against a target figure of 91.6% for the April to November period of 2022 / 2023; and
  - The opening of a deposit account with Santander Bank; and
- (ii) That approval be given for the opening of a deposit account with Conister Bank, with a maximum deposit of £1 million."

**A10. Conference Attendance – Public Live 2023**

The Committee considered a written report by the Director of Finance seeking approval for attendance at the CIPFA Public Finance Live 2023 Conference.

The Chartered Institute of Public Finance and Accountancy (CIPFA) conference brought together leading figures from the industry to discuss key issues and hold practical workshops, with the main speakers being finance practitioners in the public sector, including UK local government.

The conference programme for 2023 was not yet available, however, attendance at the event provided an invaluable opportunity for the Director of Finance to network and to keep in touch with developments in the public finance accounting profession, which was of benefit to the Council not only in terms of the strategic financial advice given to Council, Committee, and the Chief Officers' Management Team, but also in terms of that Chief Officer's leadership of the Finance Department. Attendance was also a key component in meeting annual Continuing Professional Development (CPD) requirements.

Resolved, "(i) That particulars of the report be noted on the minutes;

- (ii) That approval be given for the Director of Finance to attend the CIPFA Public Finance Live Conference and Exhibition to be held at the QEII Centre, London, from 26<sup>th</sup> to 28<sup>th</sup> June 2023;
- (iii) That there be no Member attendance on this occasion, however, the Director of Finance be accompanied by the Assistant Chief Officer (Finance) who had a free-entry pass for the 2023 event; and
- (iv) That General Revenue Reserve funding of up to £1,500 be set aside for attendance at the Conference by the Director of Finance (to cover the cost of attendance, travel, and accommodation) and the Assistant Chief Officer (Finance) (to cover the cost of travel and accommodation)."

**A11. Planning Application – PA 22/00465/B, Erection of Six Beach Huts on Queen's Promenade, Douglas**

The Committee considered a written report by the Dilapidation Enforcement Officer seeking approval of a response for submission to the Planning Committee in relation to a planning application for the erection of six timber beach huts on land south-west of the toilet block opposite Marathon Terrace on Queen's Promenade.

Although the application had previously been considered and supported by the Committee at its meeting on 26<sup>th</sup> May 2022, it had had to be advertised again due to changes requested by the Registered Buildings Officer, namely, to increase the number of huts from the original four to six, with each hut also being larger (increased in size to 10 feet long by 8 feet wide). Should the application be approved, the huts would be phased in over a period of two years, with three huts being erected in 2023 and the remaining three being erected in 2024.

Members were advised that, although the beach huts would only be available for renting out to the public between April and October each year, they would be left in place all year round. Although matters relating to maintenance could not be made a condition of planning approval, it was suggested - in order to protect the amenity of the area and ensure the huts did not fall into disrepair - that maintenance should form part of any licensing agreement for the lease of the land between the Council and the operator of the huts.

Resolved, “(i) That particulars of the report be noted on the minutes;

- (ii) That a response be submitted to the Planning Committee confirming the Council’s support of Planning Application PA 22/00465B, for the erection of six timber beach huts (with decking and removable access ramps) on land south-west of the toilet block opposite Marathon Terrace on Queen’s Promenade, Douglas; and
- (iii) That if the planning application was successful, maintenance of the huts be a condition of any licensing agreement for the lease of the land between the Council and the operator of the huts.”

**A12. Isle of Man Municipal Association**

No documents had been received from the Isle of Man Municipal Association in advance of the meeting.

**A13. Items for Future Report**

The Committee considered a written report by the Chief Executive identifying those issues on which further reports had been requested or which were outstanding, so that Members and officers were aware of them and could monitor progress.

Resolved, “That particulars of the report be noted on the minutes and that it be considered and monitored at each meeting of the Executive Committee.”

**A14. Time and Date of Next Meetings**

The times and dates of the next meetings were noted as being at 09:30 on Thursday 12<sup>th</sup> January 2023 (Special Budget Meeting); and 14:00 on Thursday 26<sup>th</sup> January 2023 (scheduled Meeting).

The Committee rose at 4.15pm.

VI(ii) – The proceedings of the HOUSING AND PROPERTY COMMITTEE as follows:

# HOUSING AND PROPERTY COMMITTEE

HOUSING AND PROPERTY COMMITTEE – Minutes of Meeting held on Friday, 16<sup>th</sup> December, 2022.

Members Present: Mr Councillor D.R. Watson (Chair), Mr Councillor S.R. Crellin, Mr Councillor F. Schuengel, Mr Councillor P.J. Washington.

In Attendance: Director of Housing and Property (Mr D. Looney), Assistant Chief Officer (Housing and Property) (Mr V. Zivave), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Housing and Property Operations Manager (Mr J. Chatwood), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies for Absence**

Apologies for absence were submitted by the Worshipful the Mayor, Councillor Ms J. Thommeny, J.P.

##### **A2. Declarations of Interest**

There were no Declarations of Interest.

##### **A3. Minutes – 16<sup>th</sup> November, 2022**

The minutes of the meeting held on Wednesday, 16<sup>th</sup> November, 2022, were approved and signed.

##### **A4. Matters Arising**

No issues were raised as arising from the previous meeting.

##### **A5. Vacant Properties Update**

The Committee considered the monthly report submitted by the Assistant Housing Manager (Maintenance) to update on the number of vacant social housing properties.

Appended to the officer's report was the void properties schedule, which showed that as at the end of November, 2022 there were thirty vacant properties receiving attention. Members were presented with a summary chart showing the number of properties returned in each month, details of the category repair type for each property, together with the number of void properties in each estate. The Assistant Chief Officer (Housing and Property) advised that five properties were ready for allocation.

The Director of Housing and Property advised the number of voids was currently at a higher level due to the Housing team requiring more time to turnaround these properties, this was in line with the Council's strategy to invest more in void properties, and where funding allows, bringing properties up to a void plus standard.

Members noted that there had also been an increase in properties being returned in poor condition, which were requiring a longer turnaround time. The Director of Housing and Property explained that there is a long term benefit to taking time to improve the properties whilst they are vacant, primarily benefit to the tenant but also reduced maintenance call outs and a reduction in on-going maintenance costs.

Resolved, "That particulars of the discussion and the number of void properties be noted on the minutes."

##### **A6. Housing Rent Arrears**

The Committee considered a report submitted by the Housing and Property Operations Manager to monitor the progress made on rental income collection.

Members were presented with a table setting out the rent arrears statistics for October and November, 2022. It was noted that as at the 4<sup>th</sup> November, 2022 the level of rent arrears was £77,354.61.

Appended to the officer's report was statistical data prepared by the Housing Operations Manager setting out the rent arrears statistics by estate; property type and occupancy.

Resolved, "That particulars of the report and discussion be noted on the minutes and that the progress made on rental income collection be noted."

**A7. Provision of a uPVC Window and Door Specialist for Six Months**

The Committee considered a report submitted by the Assistant Housing Manager (Maintenance) to appoint contractors to carry out repair maintenance works to uPVC doors and windows.

Members were advised that at the end of the 2020/21 financial year, there was a significant number of outstanding maintenance repair jobs to uPVC doors and windows that were rolled over into the 2021/22 financial year. As a consequence of this backlog, there is insufficient in-house resource to carry out all of the works. The use of external contractors is therefore required to catch up on the outstanding jobs.

Members noted that there are currently two full-time joiners employed by the Council, carrying out reactive maintenance jobs, including uPVC window and door repairs to all of the Council's housing stock. During the last financial year, there were four-hundred and eighty-three uPVC window and door repair jobs raised. Members were advised that it is intended to only use the external contractors when the Council's internal staff cannot accommodate the workload.

Following the procurement process, two tenders were received by the closing date which were opened on Monday 28<sup>th</sup> November, 2022 by the Chair of the Housing and Property Committee in the presence of the Director of Housing and Property and the Assistant Chief Officer (Housing and Property).

Due to the number of outstanding jobs, Members were advised that it is intended to use both of the contractors to carry out the repair works; Discount Plastic Materials Limited would be used as the primary contractor and Manx Glass and Glazing Limited would be used where there is additional demand.

It is intended for the contract to commence in January 2023, giving the contractors two to four weeks' notice from the date of Committee approval to the beginning of the contract.

Resolved, "That particulars of the report and discussion be noted on the minutes and the tenders submitted by Discount Plastic Materials Limited, and Manx Glass and Glazing Limited, for a six month period be accepted, dependent of the availability of jobs and availability of funding."

**A8. Items for Future Consideration**

The Committee noted the monthly report and schedule setting out items which will be brought forward for consideration to future meetings.

There was discussion on the role of an independent Member for the Housing and Property Committee. The Assistant Democratic Services Officer undertook to circulate previous minutes to the Committee in relation to the matter.

Resolved, "That particulars of the report and schedule be noted on the minutes."

**A9. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting was due to take place at 10.00am on Wednesday, 18<sup>th</sup> January, 2023.

Resolved, "That the date and time of the next meeting be noted on the minutes."

The meeting ended at 11.47am.

VI(v) – The proceedings of the EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE as follows:

# EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE

EASTERN DISTRICT CIVIC AMENITY SITE JOINT COMMITTEE – Minutes of Meeting held on Tuesday, 15<sup>th</sup> November, 2022.

Members Present: Councillor Miss N.A. Byron (Douglas) (Chair), Mr T. Kenyon (Garff), Mrs A. Davidson (Santon), Ms F. Logan (Onchan).

In Attendance: Mrs D. Eynon (Douglas), Mr I. Jackson (Douglas), Mr E.P. Pierce (Douglas), Mrs L. Radcliffe (Secretary), Mr R. Philips (Onchan), Mr J.C. Whiteway (Braddan), Mrs D. Atkinson (Douglas, taking notes), Mr S.A. Crook (Contractor's Representative) (Item A2 and A3 only), Mr J. Quayle (Department of Infrastructure Representative).

## REPORT

### **PART A –**

#### ***Matters dealt with under delegated authority***

##### **A1. Minutes – 2<sup>nd</sup> August, 2022**

Approved unanimously subject to a clerical error in Clause A3, the current gate fee is £97.53.

##### **A2. Operational Contractor's Report**

Mr Crook joined the meeting to present the operational contractor's report.

1.4 – Disposing of fridges, freezers and other items. Members were reminded that there were 12 fridges and freezers on Site that were not covered by the current disposal contract due to their size and style. The Government's contractor had inspected the goods and quoted £1,780 for disposal of the items citing that the goods are considered commercial. An explanation as to what constitutes a commercial good was also provided, however clarity is required on the definition.

1.6 – Recycling Bring Banks. It was noted that the Government has agreed to continue providing a bring bank service to the Site, with the exception of plastics. It was agreed that the Committee fund the plastic recycling at a cost of £100 approximately every three weeks.

1.7 – Skips. Mr Crook advised that a quote had been received to replace four skips as per the condition inspection reported to the previous Committee. The cost had significantly increased since the previous quotation process had been undertaken. It was agreed that a report on the replacement skips be considered at the next meeting.

1.8 – Creamery Cartons. It was noted that the Committee's request to write to the Creameries had been actioned, and a meeting had been arranged with the Chair. In the interim, the Creameries had also agreed that tetrapack cartons could be delivered to their waste disposal contractor to be combined with their own collections at no cost to the Site. The collection and transfer of the packaging would have to be borne by the Committee totalling approximately £55 per week. The Committee agreed that this suggestion was more favourable than the previous offer, and agreed the arrangement in principle, subject to the outcome of the Chair's meeting regarding the recycling process of the packaging.

1.11 – In response to a previous request, the Committee were provided with the user figures for Sunday morning. It was agreed that the user numbers continue to be monitored, and a decision be made at a later date.

#### **It was agreed:**

1. That the report and statistics be noted;
2. That the quote provided by the Government's contractor to dispose of the oversized fridges and freezers at a cost of £1,780, be approved;
3. That the Committee fund the plastic recycling at a cost of £100 approximately every three weeks;
4. That a report on the replacement of the skips be forthcoming to the next meeting;
5. That the offer from the Creameries for the disposal of tetrapak cartons from the Site be approved in principle at a cost of £55 per week to collect and transfer the packaging, subject to the outcome of the Chair's meeting with the organisation.

**A3. Feedback from Site Visit**

The Committee provided feedback on a recent visit to the current Site. The Committee opined that the re-use shed was difficult to keep in order, and suggested including shelving in the new site with designated areas for product categories. It was felt that it was desirable that a member of staff be in the re-use shed at all operational opening times.

*Mr Crook left the meeting.*

**A4. Waste Wood EfW Gate Fee**

The Committee noted the response from the Department of Infrastructure confirming that the proposed price increase for wood waste had been retracted from the current financial year, following pushback from the four Sites. The increase in the 2023/24 financial year was noted at 178%.

**A5. Update on Purchase of Vehicles for Use on Site**

This item was covered in the Contractor's report. It was noted that the hook loader and wheeled excavator are now in use, following repairs undertaken to both.

**A6. Cost of Signboard for New Site**

Dandara had quoted £787.50 for the erection of a signboard at the new Site. The Committee agreed not to proceed with the signboard on the basis that the site is not located in a public area and the works commenced several months ago so would soon be outdated.

**A7. Update on New CA Site**

Mr Jackson circulated updated photographs of the new Site. The Committee noted that the timescales and budget were currently on target, although slightly behind on the construction of the retaining wall and laying of the slab which will be completed by the end of the week.

The Committee asked that their request to ensure there is adequate directional signage to the Site, and sufficient signage on Site, be noted on the minutes.

**A8. ECAS Contractor Specification**

Mr Philips had undertaken a review of the current contract ahead of the tendering process for the new site contract. He advised that the current contract is outdated and presented several considerations for inclusion in the new contract specification. The Committee considered each section of the specification and provided feedback. It was agreed that any further feedback be submitted to Mr Philips.

**It was agreed** that Mr Philips update the specification and present to the next Committee meeting.

**A9. Suggested Dates for 2023**

The proposed dates for the 2023 were noted and approved.

**A10. Date and Time of Next Meeting**

Tuesday, 14<sup>th</sup> February, 2023 at 2.30pm. A site visit to the new CA site was arranged for 1pm on the same date.

**A11. Charity Request**

The Chair circulated a request from the Rotary Club requesting the collection of unwanted mobility items to hand over to Manx Care for refurbishment. The Committee were generally supportive of the idea, but asked that the request be referred the contractor for comment first.

**It was agreed** that the request be referred to the contractor for comment before a decision is made.

**A12. Update on Site Operation and Vehicle Costs**

The Committee noted that there is a projected adverse variance to budget of £12,480 in relation to the operation cost. Mr Pierce advised this was due to the need to continue with short-term vehicle hire through the first half of the financial year as a result of delays in the approval process. The Committee had a discussion about the ownership of Site vehicles which had been agreed in February 2022. They are in the Council's name with the loan charges being borne by the Committee. The vehicles are being provided for use by the contractor. It was agreed that the management and ownership of vehicles be further considered as part of the contract specification.

The meeting ended at 4.55pm.

VI(vii) – The proceedings of the REGENERATION AND COMMUNITY COMMITTEE as follows:

# REGENERATION AND COMMUNITY COMMITTEE

REGENERATION AND COMMUNITY COMMITTEE – Minutes of Meeting held on Tuesday, 20<sup>th</sup> December, 2022.

Members Present: Mr Councillor A.J. Bentley (Chair), Councillor Miss N.A. Byron (Items A1 to A5), Mr Councillor S.R. Pitts, Mr Councillor F. Schuengel.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Finance) (Mr E.P. Pierce), Democratic Services Officer (Mrs D. Atkinson).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

The Mayor submitted her apologies for the meeting.

##### **A2. Declarations of Interest**

There were no declarations of interest.

##### **A3. Minutes – 22<sup>nd</sup> November 2022**

The minutes of the meeting held on Tuesday, 22<sup>nd</sup> November, 2022 were approved and signed.

##### **A4. Matters Arising**

There were no public matters arising.

##### **A5. Douglas in Bloom**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to seek approval to discontinue the Douglas in Bloom competition and to consider a suitable alternative.

The Douglas in Bloom competition has been held for many years and during that time numerous measures have been adopted to try and increase the number of entries, and to ensure the initiative maximises its impact on the appearance of Douglas. The cost of running the competition in 2022 was £3,491.38 and officers estimate that approximately 89 hours of officer time was involved.

The officer view is that the financial cost of the event and the time spent on it cannot be justified when balanced against the number of people taking part. In addition to this, officers cannot clearly identify the benefits of running the competition. Although there may be some marginal impact on the appearance of the Borough as a result of the competition, it is difficult to provide any evidence that participation in the competition is a motive for gardeners to look after their gardens. It is also worth noting that some of the entries involve back gardens that are not visible to the public and therefore cannot be argued to have any impact on the appearance of the Borough. In addition to this, biodiversity and carbon sequestration are not considered to be served as the majority of the winners have manicured lawns and annual bedding plants rather than a garden with greater ecological value which are less tidy in appearance.

The report provided some alternative options for the competition. The Committee agreed that an initiative involving schools or community groups that supported planting, ecology and wildlife would be better suited.

Resolved, “(i) That particulars of the report and discussion be noted on the minutes; and

(ii) The Douglas in Bloom competition not be held in 2023; and

(iii) Officers consider alternative initiatives inclusive to schools and community groups, and report back to the Committee.”

##### **A6. Review of North Quay Pedestrianisation**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to provide feedback on the summer pedestrianisation of North Quay and to submit proposals for 2023 onwards.

Members were reminded that following a short trial in autumn 2020, the Council applied for the closure of North Quay between the junctions of Ridgeway Street and Market Hill from 5.30pm every evening

over the summer of 2021 to allow the businesses in that section of North Quay to operate expanded pavement cafes. Three businesses participated in the initiative. Following consultation with St Matthew's Church, the operating times were extended with the pedestrianisation commencing at 4.30pm daily. This was further extended to 11.30am during TT race week and the weekends either side. The arrangements continued for 2022.

Feedback was collected from the three participating businesses during the summer. All considered the earlier start to be beneficial to set-up ahead of busy periods, and all agreed that the earlier start during TT was beneficial. Reference was also made to the ambience of the Quay during these periods when vehicles were excluded.

Although the arrangements were welcomed, the Assistant Chief Officer (Regeneration) highlighted issues that were noted regularly including that the premises do not have sufficient storage for the outdoor furniture, so it had to be moved round the back of the respective premises daily which is labour intensive. The area also loses its direct sunlight late afternoon or early evening during the height of summer. Customers tend to gravitate towards the harbour side railings as a result. The report suggested installing tables and chairs in this area.

St Matthew's had raised reservations about the arrangements and observed that the pedestrianisation was not well used. Another business on the Quay had previously raised concerns about the impact of the closure on their customers.

At the moment the road is being closed manually every day. If the scheme is to continue long term a more suitable and permanent approach is required.

The report provided two options for consideration. The first is to introduce a permanent traffic regulation order, which prohibits traffic between certain times, similar to Strand Street during the day.

The second option is to introduce a shared surface approach similar to that adopted on the Promenade walkway during the period of Christmas parking. This would be in place permanently and limit drivers to 10 miles per hour speed limit at all times.

The report listed the logistics, benefits and disadvantages of both options.

Members preferred option one, but suggested, following comments regarding use, that a traffic regulation order prohibiting traffic from Friday lunchtime to Monday morning be explored. This would reduce the impact on non-hospitality businesses on the Quay, and assist with the labour intensive moving of furniture on a daily basis. This timeframe captures the busiest periods and avoids the closure being implemented unnecessarily during quieter periods.

Resolved, "That particulars of the report and discussion be noted on the minutes, and the report be deferred and a further report on the feasibility of a weekend traffic regulation order be explored, and reported back to the Committee."

#### **A7. Items for Future Report**

The Committee considered a report submitted by the Democratic Services Officer regarding reports for future consideration by the Committee.

Resolved, "That particulars of the matters for future consideration and discussions be noted on the minutes."

#### **A8. Date and Time of Next Meeting**

Members were advised that the next scheduled meeting was due to take place on Tuesday, 17<sup>th</sup> January, 2023.

Resolved, "That the date and time of the next meeting be noted on the minutes."

### ***PART B –***

#### ***Matters referred to the January Executive Committee Meeting***

#### **B9. Play Policy**

The Committee considered a report submitted by the Assistant Chief Officer (Regeneration) to adopt a play policy for the Council.

During the planning process for the installation and replacement of a play facility in the Marine Gardens, officers drafted a play policy document. The report recommended adopting the policy for all sites owned and managed by the Council. It was noted this is the first time the Council has produced a policy specifically about play.

The Assistant Chief Officer (Regeneration) explained that the policy sets out the Council's understanding of play and confirms its commitment to ensuring appealing environments for children and young people, and recognises children's rights to play as set out in the United Nations Conventions on the Rights of a Child. The policy draws heavily on Managing Risk in Play Provision originally

published by Play England in 2008 in association with the UK Department for Children, Schools and Families (DCSF) and the Department for Culture, Media and Sport. The implementation guide and the Council's proposed play policy were appended to the report.

A Member asked that officers consider purchasing a wheelchair access swing for the City.

Resolved, "(i) That particulars of the report and discussion be noted on the minutes; and

- (ii) The Play Policy document contained in appendix one of the report be endorsed and approved;
- (iii) That the following specific play policies contained within the policy document be approved;
- a) The Council recognises the importance of play in the lives of children and young people as well as the wider community and will endeavour to ensure that opportunities for fun, uncertainty, challenge, flexibility and non-productivity are incorporated into its parks, gardens and other playable spaces in addition to formal, designated play areas;
  - b) The Council endorses Play England's publication "Managing Risk in Play Provision" and, in aiming to ensure its facilities, parks and open spaces provide the best possible play opportunities, recognises that risk is a fundamental component of play from which children and young people learn about their environment;
  - c) The Council will adopt a risk-benefit assessment approach to risk management in all circumstances where valuable play opportunities can be provided that are not strictly defined within industry standards;
  - d) The Council aims to provide a range of opportunities for play that is not limited to formal designated play areas but also includes casual, informal and incidental play opportunities that can be found throughout the City;
  - e) The Council aims to provide a range of play opportunities suitable for all children and young people irrespective of their abilities but also accepts that the degree of challenge sought by some children will, by necessity, be unsuited to all. Wherever appropriate, the Council will endeavour to provide play opportunities that are flexible and non-prescriptive and that can be used in a variety of ways to suit different users;
  - f) The Council will aim to meet the seven play objectives described in 'Best Play: What Play Provision Should Do for Children' in the design of all new play provision in the City. The objectives are that the provision;
    - extends the choice and control that children have over their play, the freedom they enjoy and the satisfaction they gain from it;
    - recognises the child's needs to test boundaries and responds positively to that need;
    - manages the balance between the need to offer risk and the need to keep children safe from harm;
    - maximises the range of play opportunities;
    - fosters independence and self-esteem;
    - fosters children's respect for others and offers opportunities for social interaction; and
    - fosters the child's well-being, healthy growth and development, knowledge and understanding, creativity and capacity to learn."

The meeting ended at 12.55pm.

VI(viii) – The proceedings of the ENVIRONMENTAL SERVICES COMMITTEE as follows:

# ENVIRONMENTAL SERVICES COMMITTEE

ENVIRONMENTAL SERVICES COMMITTEE – Minutes of Meeting held on Monday, 19<sup>th</sup> December, 2022.

Members Present: Mr Councillor F. Horning (Chair), Councillor Miss N.A. Byron, Mr Councillor J.E. Skinner, Mr Councillor P.J. Washington.

In Attendance: Director of Environment and Regeneration (Mrs D. Eynon), Assistant Chief Officer (Regeneration) (Mr C. Pycroft), Assistant Chief Officer (Environment) (Mr I. Jackson), Finance Manager (Mr M. Quayle) (Items A1 to A6), Assistant Chief Officer (Finance) (Mr E.P. Pierce) (Items A1 to A5), Dilapidation Enforcement Officer (Mr S. Salter) (Item A7), Assistant Democratic Services Officer (Miss C. Cullen).

## REPORT

### **PART A –**

#### ***Matters delegated to the Committee***

##### **A1. Apologies**

Apologies for absence were submitted by the Worshipful the Mayor, Councillor Ms J. Thommeny, J.P.

##### **A2. Declarations of Interest**

There were no Declarations of Interest.

##### **A3. Minutes – 15<sup>th</sup> November, 2022**

The minutes of the meeting held on Tuesday, 15<sup>th</sup> November, 2022 were approved and signed.

##### **A4. Matters Arising**

No matters were raised as arising from the previous minutes.

##### **A5. Future proposals for the 1930s toilet block – Noble’s Park**

The Committee considered a report submitted by the Senior Engineering and Waste Services Manager in relation to the future of the 1930s ‘art deco’ toilet block in Noble’s Park.

Members were reminded of a previous report, considered by the Committee in December 2021 concerning the future proposals for the toilet block. The report was requested following a capital bid to refurbish the units with Members deferring funding pending more information about usage and whether the units’ continuation provided good value for money. The report recommended to proceed with the Healthmatic door modifications, to enable a 20p charge per use. In addition, it was recommended to install sensors on the site for a period of 12-months to capture footfall data, which would assist in evaluating the longer term future of the site.

The modification works commenced in February 2022 and it was recommended by Healthmatic that there was no need to install separate footfall sensors as the new door entry system would provide the same data.

The report advised that since March 2022, an estimated one thousand, nine-hundred and fifty-seven patrons have used the facilities. It was noted that these figures excluded the TT and Classic TT periods when the door entry charging system had been suspended following a request from the Department for Enterprise and subsequent Council agreement.

The Director of Environment and Regeneration provided usage figures across the Council’s other toilet facilities, which demonstrated comparable usage figures. As such, it is recommended that the 1930s toilet block not be decommissioned.

Members were advised that the 2023/24 budget provision of £40,000 would cover the proposed refurbishment works which would include decoration, light fittings and flooring but exclude any upgrade of sanitary ware, plumbing pipework, electrical supply for hot water boiler, new hand dryers, cubicle partitions, and insulated ceiling. In addition, it is understood that the Government may consider contributing towards the cost, provided that any upgrade would include new sanitary fittings. It was noted that this would be subject to further discussions with the Department for Enterprise and outside the scope of this report.

Resolved, “That particulars of the report and discussion be noted on the minutes and that the 1930s ‘art deco’ toilet block in Noble’s Park not be demolished / re-purposed and that a budget of £40,000 to bring the standard of the units in line with other sites be approved.”

#### A6. Council Scheme of Delegation – Planning

The Committee considered a report submitted by the Community and Enforcement Manager seeking approval to update the Planning Scheme of Delegation.

Members were advised that it is proposed for the Planning Scheme of Delegation to be amended to include the following words in italics;

Any application to amend the application; or vary conditions on an application; *or provide new reports, submissions or additional information for an application* previously considered by the Environmental Services Committee, which in the view of the Director, constitute a major significant change.

The wording changes are proposed to ensure that the Environmental Services Committee has the opportunity to reconsider planning applications that have previously been considered but where additional material information, reports or third party agency recommendations are submitted to Planning after the Committee’s consideration of the application.

Officers felt it prudent to take this approach as it may be that additional reports and/or information which was not available to the Committee at its meeting could be significant enough to have resulted in a different officer recommendation and ultimate resolution being reached by the Committee; or that the information does not alter the recommendation or resolution reached by the Committee but they should be given the opportunity for reconsideration wherever any additional materially significant information is presented at a later date.

It is proposed that when any such additional submissions come to the attention of the officer dealing with planning applications, the officer reviews the new information and considers how materially significant it is to any previous recommendation and decision already reached. The officer can then make a recommendation to the Director Environment & Regeneration outlining what the new information is, how it differs from previously submitted information and whether the information is materially significant to warrant going back to the Committee for reconsideration. The Director will make the determination in consultation with the Chair of the Committee. This will avoid the need to put back to the Committee any new additional information that is not considered material that is not contrary to previous information, does not offer any significant new information or does not alter the gravity or essence of any previously submitted information.

Following discussion of the proposal it was agreed that the wording ‘in consultation with the Chair’ be added to the resolution.

Resolved, “(i) That particulars of the report and discussion be noted on the minutes, and

(ii) That the Planning Scheme of Delegation be amended to include the words in italics below:

*In consultation with the Chair* any application to amend the application; or vary conditions on an application; *or provide new reports, submissions or additional information for an application* previously considered by the Environmental Services Committee, which in the view of the Director, constitute a major significant change.”

#### A7. Schedule of Dilapidated, Ruinous or Dangerous Properties

The Dilapidation Enforcement Officer joined the meeting for discussion of the item.

The Committee considered a schedule of properties in a state of dilapidation or disrepair. Members noted that sixteen properties had been added to the schedule since the last meeting; five properties had been removed because work had been completed; and a total of sixty-two properties remained on the list.

Resolved, “That the schedule of dilapidated properties be noted and approved and that the Director of Environment and Regeneration be authorised to progress improvements to the properties, by service of Notice and legal action where necessary.”

#### A8. Items for Future Report

The Committee noted a report submitted by the Assistant Democratic Services Officer with an appendix setting out a number of reports that would be brought forward for consideration by the Committee in due course.

It was agreed that the Bottleneck Car Park be added to Item 6; further EV charging spaces in Shaw’s Brow Car Park.

Resolved, “That particulars of the matters for future consideration be noted on the minutes.”

**A9. Date and Time of Next Meeting**

Members were reminded that the next scheduled meeting of the Environmental Services Committee was due to take place at 10.00am on Monday, 16<sup>th</sup> January, 2023.

The meeting ended at 11.20am.